

Staff or are joint qualified officers” for “are serving, or have served, in joint duty assignments”.

Subsec. (b)(2). Pub. L. 111-383, §522(c)(2), substituted “of officers who are serving on, or have served on, the Joint Staff or are joint qualified officers” for “in joint duty assignments of officers who are serving, or have served, in such assignments” in subpars. (A) and (B).

Subsec. (b)(4). Pub. L. 111-383, §522(c)(3), substituted “who are serving on, or have served on, the Joint Staff or are joint qualified officers” for “in joint duty assignments” in introductory provisions.

2006—Subsec. (d). Pub. L. 109-364, §513(a), designated existing provisions as par. (1), substituted “Except as provided in paragraph (2), the name” for “The name”, and added par. (2).

Subsec. (f). Pub. L. 109-364, §547(a)(2), struck out subsec. (f) which read as follows: “Except as authorized or required by this section, proceedings of a selection board convened under section 611(a) of this title may not be disclosed to any person not a member of the board.”

2000—Subsec. (e). Pub. L. 106-398 amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “Upon approval by the President of the report of a selection board, the names of the officers recommended for promotion by the selection board (other than any name removed by the President) may be disseminated to the armed force concerned. If such names have not been sooner disseminated, such names (other than the name of any officer whose promotion the Senate failed to confirm) shall be promptly disseminated to the armed force concerned upon confirmation by the Senate.”

1992—Subsec. (a)(1), (2). Pub. L. 102-484, §1052(8), substituted “section 615(b)” for “section 615(a)”.

Subsec. (b)(2)(A), (4). Pub. L. 102-484, §1052(9), substituted “section 615(c)” for “section 615(b)”.

1991—Subsec. (g). Pub. L. 102-190 added subsec. (g).

1988—Subsec. (a). Pub. L. 100-456, §501(d)(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “If, after reviewing the report of a selection board submitted to him under section 617(a) of this title, the Secretary of the military department concerned determines that the board has acted contrary to law or regulation, the Secretary shall return the report to the board for further proceedings. Upon receipt of a report returned by the Secretary concerned under this subsection, the selection board (or a subsequent selection board convened under section 611(a) of this title for the same grade and competitive category) shall conduct such proceedings as may be necessary in order to revise the report and shall resubmit the report, as revised, to the Secretary in accordance with section 617 of this title.”

Subsec. (c)(1). Pub. L. 100-456, §501(d)(2), struck out “, modification,” after “for his approval” and inserted at end “If the authority of the President under this paragraph to approve or disapprove the report of a selection board is delegated to the Secretary of Defense, it may not be redelegated except to an official in the Office of the Secretary of Defense.”

1986—Subsec. (b). Pub. L. 99-433, §402(c)(1), (2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 99-433, §402(c)(1), (3), redesignated subsec. (b) as (c) and in par. (1) inserted provisions directing the Secretary of Defense, before transmitting the report, to take appropriate action to resolve any disagreement between the Secretary concerned and the Chairman. Former subsec. (c) redesignated (d).

Subsecs. (d) to (f). Pub. L. 99-433, §402(c)(1), redesignated subsecs. (c) to (e) as (d) to (f), respectively.

1984—Subsec. (b)(2). Pub. L. 98-525 substituted “If the report of a selection board names an officer as having a record which indicates that the officer should be required to show cause for his retention on active duty, the Secretary concerned may provide for the review of the record of that officer as provided for under regulations prescribed under section 1181 of this title” for “The Secretary concerned may submit to a board of officers convened under section 1181 of this title the name

of any officer who is named in the report of a selection board as having a record which indicates that the officer should be required to show cause for his retention on active duty”.

#### EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title V, §513(c), Oct. 17, 2006, 120 Stat. 2185, provided that: “The amendments made by this section [amending this section and section 14111 of this title] shall apply with respect to selection boards convened on or after the date of the enactment of this Act [Oct. 17, 2006].”

#### EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-190 applicable to selection boards convened under section 611(a) of this title after end of 60-day period beginning Dec. 5, 1991, see section 504(e) of Pub. L. 102-190, set out as a note under section 615 of this title.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-456 effective 60 days after Sept. 29, 1988, and applicable with respect to selection boards convened under section 611(a) of this title on or after that effective date, see section 501(e) of Pub. L. 100-456, set out as a note under section 615 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-433 effective with respect to selection boards convened under section 611(a) of this title after end of 120-day period beginning on Oct. 1, 1986, see section 406(f) of Pub. L. 99-433, set out as a note under section 612 of this title.

#### EFFECTIVE DATE

Section effective Sept. 15, 1981, but the authority to prescribe regulations under this section effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

#### DELEGATION OF FUNCTIONS

Functions of President under subsec. (b)(1) to approve, modify, or disapprove report of a selection board delegated to Secretary of Defense to perform, without approval, ratification, or other action by President, and with authority for Secretary to redelegate, see Ex. Ord. No. 12396, §§1(a), 3, Dec. 9, 1982, 47 F.R. 55897, 55898, set out as a note under section 301 of Title 3, The President.

Nothing in section 1 of Ex. Ord. No. 12396 deemed to delegate authority vested in President by subsec. (c) of this section to remove a name from a selection board report, see section 1(g) of Ex. Ord. No. 12396.

### SUBCHAPTER II—PROMOTIONS

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| Sec.<br>619. | Eligibility for consideration for promotion: time-in-grade and other requirements.  |
| 619a.        | Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to general or flag grade; exceptions. |
| 620.         | Active-duty lists.  |
| 621.         | Competitive categories for promotion.   |
| 622.         | Numbers to be recommended for promotion.  |
| 623.         | Establishment of promotion zones.   |
| 624.         | Promotions: how made.   |
| 625.         | Authority to vacate promotions to grades of brigadier general and rear admiral (lower half).  |
| 626.         | Acceptance of promotions; oath of office.   |

#### AMENDMENTS

2008—Pub. L. 110-417, [div. A], title V, §521(b)(2), Oct. 14, 2008, 122 Stat. 4444, added item 619a and struck out former item 619a “Eligibility for consideration for pro-